

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

FILED - LN

July 29, 2022 4:13 PM

CLERK OF COURT

U.S. DISTRICT COURT

WESTERN DISTRICT OF MICHIGAN

BY: plw / 605-7/24 SCANNED BY: 605-7/24**UNITED STATES DISTRICT COURT**

for the

District of _____

Division _____

Justin T Clayton

Case No. _____

(to _____)

1:22-cv-690**Paul L. Maloney,
United States District Judge***Plaintiff(s)**(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)***-v-**

Fowlerville School District

~~Wayne Rodel~~ *Wayne Rodel**Defendant(s)**(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)***COMPLAINT FOR A CIVIL CASE****I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Justin Clayton
Street Address	8598 Cass River Drive
City and County	Fowlerville, Livingston
State and Zip Code	Michigan 48836
Telephone Number	2484442582
E-mail Address	justinclayton432@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	Fowlerville School District
Job or Title <i>(if known)</i>	Educate Children
Street Address	7677 W. Sharpe Rd. Suite A
City and County	Fowlerville, Livingston
State and Zip Code	MI 48836
Telephone Number	p: 517-223-6000 f: 517-223-6022
E-mail Address <i>(if known)</i>	roedelw@fowlervilleschools.org

Defendant No. 2

Name	Wayne Wayne Rodel
Job or Title <i>(if known)</i>	Superintendent of Fowlerville School District and FOIA manager
Street Address	7677 W. Sharpe Rd. Suite A
City and County	Fowlerville, Livingston
State and Zip Code	MI 48836
Telephone Number	p: 517-223-6000 f: 517-223-6022
E-mail Address <i>(if known)</i>	roedelw@fowlervilleschools.org

Defendant No. 3

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 4

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☒ Federal question ☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Freedom of Information Act Statute

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* Justin Clayton, is a citizen of the State of *(name)* Michigan.

b. If the plaintiff is a corporation

The plaintiff, *(name)*, is incorporated under the laws of the State of *(name)*, and has its principal place of business in the State of *(name)*.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, *(name)* Wayne Rodel, is a citizen of the State of *(name)* Michigan. Or is a citizen of *(foreign nation)*.

b. If the defendant is a corporation

The defendant, (name) Fowlerville School District, is incorporated under the laws of the State of (name) Michigan, and has its principal place of business in the State of (name) Michigan.
 Or is incorporated under the laws of (foreign nation) N/A, and has its principal place of business in (name) N/A.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

COURTS DISCRETION

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

STATEMENT OF CLAIM ON INCLUDED DOCUMENTS.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

RELIEF ON INCLUDED DOCUMENTS

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 7-29-2022

Signature of Plaintiff

Printed Name of Plaintiff

Justin Clayton
Justin Clayton

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

UNITED STATES DISTRICT COURT

Statement of Claim

I Justin Clayton am involved in hearings regarding the unjust expulsion and unfair treatment of my son James Clayton by the Fowlerville School District. I made a FOIA request regarding information about my son's experience and treatment by staff at Fowlerville School District on June 30, 2022.

Justin Clayton. Wayne R. sent me a letter regarding my FOIA request after I waited 27 days to hear from him on the matter. I reviewed the fees of over \$2,000.00 even though I gave him an affidavit of indigency. Wayne R. says that he and his staff need an additional 45-day to review the documents and release them to me. I have already waited 27 days and the additional 45 days puts me past another important hearing date submission of exhibits on due on the 22nd of August. My exhibit list and my witness list must be in by the 22nd of August for my next hearing regarding my son's special education complaint. I have decided to file a complaint with the US WESTERN DISTRICT FEDERAL COURT regarding Wayne R. and the Fowlerville School District's intentional and bothersome postponement of the documents I requested. I have patiently waited for their response to my FOIA request past the number of days I should have waited, I continue to struggle to make right the wrongs they have perpetrated against my son. In addition, I asked for information on low-cost legal services and they never responded to help or aid in any way as the state paperwork states they must.

Request

I request that an outside auditor collect the information I FOIA requested to ensure the authenticity and completeness of the records and that they are true and accurate as well. I also request that punitive damages are assessed for my time and efforts regarding my time and cost of having to deal with the delay and intentional and continued postponement of my FOIA request. I also ask that the appointed auditor perform the request in a timely manner so that I may be able to submit any evidence found through the request to the Administrative Law Judge who is overseeing the special education case for myself regarding James Clayton case. Also, I ask that the court select the auditor. Finally, I ask that all fees regarding this FOIA request be waved and that the cost of the audit is paid by the school. Also, any other cost related to this case also is paid by Fowlerville School District. Any additional ~~damages~~ *restitution* to be awarded at the court's discretion.

Sincerely

Justin Clayton



7-29-2022